



No. S-2010103
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED

AND

IN THE MATTER OF THE *CANADA BUSINESS CORPORATIONS ACT*, R.S.C. 1985, c. C-44
AND THE *BUSINESS CORPORATIONS ACT*, S.B.C. 2002, c. 57

AND

IN THE MATTER OF SUNNIVA INC., SUNNIVA MEDICAL INC., 11111035 CANADA INC.
AND 1167025 B.C. LTD

PETITIONERS

ORDER MADE AFTER APPLICATION
(STAY EXTENSION ORDER)

BEFORE THE HONOURABLE
MADAM JUSTICE FITZPATRICK

)
) December 11, 2020
)

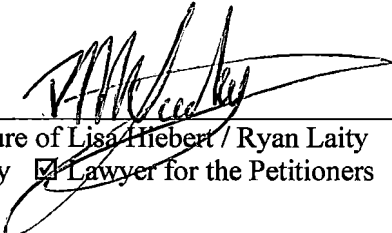
ON THE APPLICATION of the Petitioners coming on for hearing by Microsoft Teams at Vancouver, British Columbia, on the 11th day of December, 2020; AND ON HEARING Lisa Hiebert, counsel for the Petitioners, and those other counsel listed on **Schedule "A"** hereto; AND UPON READING the material filed, including (without limitation) the Fourth Affidavit of Anthony F. Holler, sworn on December 9, 2020, the Second Affidavit of Brian Peters, sworn on December 9, 2020, the Affidavit #1 of Daphne Li, sworn on December 10, 2020, the Affidavit #1 of Vani Putti, sworn on December 2, 2020, and the Third Report of the Monitor dated December 10, 2020; AND PURSUANT TO the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 as amended, the British Columbia Supreme Court Rules and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS AND DECLARES THAT:

1. The time for service of the Notice of Application and supporting materials be and is hereby abridged such that this application is properly returnable today and service thereof upon any interested party other than the parties on the service list maintained by the Monitor in this proceeding is hereby dispensed with.

2. The relief provided for in the Amended and Restated Initial Order, made in these proceedings on October 19, 2020 and extended on November 27, 2020, be and is hereby confirmed, and the Stay Period and all other relief as provided for therein is hereby extended to January 15, 2021; provided that:
- (a) the Monitor shall continue to hold all funds paid to it by the Petitioners in trust, subject to further direction of the Court;
 - (b) Maynards Industries Canada Ltd. shall pay all proceeds of sale from the surplus equipment as authorized by the Court in the approval and vesting order granted on December 11, 2020 to the Monitor, to be held by the Monitor in trust for the Petitioners pending further direction from the Court;
 - (c) the Petitioners, together with their officers and directors, be and are hereby prohibited from taking any steps to advance the Petitioners' interests or assets in the United States, including without limitation permitting any US subsidiary to grant security, subject to further direction from the Court.
3. Matrix Venture Capital Management, Inc. shall be at liberty to set down its application to the Court to adjudge the Petitioners as bankrupt persons under the Bankruptcy and Insolvency Act, R.S.C. 1985, c. B-3, such application to be heard concurrently with any application by the Petitioners to further extend the Stay Period.
4. Endorsement of this Order by counsel appearing on this application, other than counsel for the Petitioners, is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:


Signature of Lisa Hebert / Ryan Laity
☐ Party ☒ Lawyer for the Petitioners


BY THE COURT

REGISTRAR

CHECKED


Schedule "A"

LIST OF COUNSEL

Name of Counsel	Party Represented
Lisa Hiebert Ryan Laity	The Petitioners, Sunniva Inc., Sunniva Medical Inc., 11111035 Canada Inc., and 1167025 B.C. Ltd
Lance Williams	The Monitor, Alvarez & Marsal Canada Inc.
Gordon G. Plottel	PTI Transformers Inc.
William E.J. Skelly	Matrix Venture Capital Management, Inc.
Christopher Ramsay	Cura-Can Health Corp.
Cody Reedman	Daniel Petrov